UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

(STP-06-059, July, Training, RSO, 10CFR 35)

July 11, 2006

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA

REVISION TO 10 CFR PART 35 - TRAINING AND EXPERIENCE REQUIREMENTS FOR RADIATION SAFETY OFFICERS (STP-06-059)

Purpose: To inform the Agreement States regarding correction of an omission to the regulations in 10 CFR 35.50(d) on the training and experience (T&E) requirements for Radiation Safety Officers (RSO).

Background: The U.S. Nuclear Regulatory Commission (NRC) recently corrected an inadvertent omission to the regulations in 10 CFR 35.50(d). Section 35.50 covers the training and experience (T&E) requirements for Radiation Safety Officers (RSO). Paragraphs 35.50(a) through 35.50(c) provide five separate T&E pathways for an individual seeking authorization as the RSO for a medical use license. All five pathways require an RSO preceptor attestation under 10 CFR 35.50(d). Although all five pathways are described in 10 CFR 35.50(a) through (c), 35.50(d) omitted listing 10 CFR 35.50(c)(2), the T&E pathway for already-authorized individuals, as one of the optional pathways.

In the Thursday, January 12, 2006, edition of the *Federal Register* (71 FR 1926) enclosed, the NRC corrected the omission to 10 CFR 35.50(d) by adding the text, “or (c)(2)” to the listed paragraphs. This change allows the preceptor RSO to attest that the authorized individual (e.g., authorized user, authorized medical physicist or authorized nuclear pharmacist) seeking RSO status meets the requirements in 10 CFR 35.50(c)(2) (i.e., is presently an authorized user, authorized medical physicist, or authorized nuclear pharmacist identified on the licensee’s license and has experience with the applicable elements of radiation safety for the types and use of byproduct material similar to those required for the RSO responsibilities). The preceptor RSO must also attest that the authorized individual has training in the radiation safety, regulatory issues and emergency procedures for the types of use for which a licensee seeks approval, and has achieved a level of radiation safety knowledge sufficient to function independently as the RSO for a medical use license. This rule change eliminates the unintended requirement for an authorized individual seeking approval as the RSO for the medical use license to also have completed the T&E requirements for one of the other four pathways in 10 CFR 35.50(a) through (c)(1).

NRC Point of Contact: If you have any questions on this correspondence, please contact Lloyd Bolling, Office of State and Tribal Programs, at the telephone number listed below.

POINT OF CONTACT: Lloyd Bolling INTERNET: LAB@NRC.GOV
TELEPHONE: (301) 415-2327 FAX: (301) 415-3502

/RA/
Dennis K. Rathbun, Deputy Director
Office of State and Tribal Programs

Enclosure:
As stated

Dated: January 6, 2006.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. 06–271 Filed 1–11–06; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 35

RIN 3150–AH19

Medical Use of Byproduct Material—Recognition of Specialty Boards; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to the final regulations which were published in the **Federal Register** of Wednesday, March 30, 2005 (70 FR 16336) amending the Commission's training and experience requirements in 10 CFR part 35. The regulations related to the requirements for recognition of specialty boards whose certifications may be used to demonstrate the adequacy of the training and experience of individuals to serve as radiation safety officers, authorized medical physicists, authorized nuclear pharmacists, or authorized users. This action corrects the regulations by inserting a reference that was inadvertently omitted.

EFFECTIVE DATE: January 12, 2006.

FOR FURTHER INFORMATION CONTACT: Dr. Anthony N. Tse, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone (301) 415–6233, e-mail *ant@nrc.gov.*

SUPPLEMENTARY INFORMATION:

Background

On March 30, 2005 (70 FR 16361), NRC published a final rule amending its regulations in part 35 regarding the medical use of byproduct material. In Section 35.50, ''Training for Radiation Safety Officer,'' the reference to paragraph (c)(2) in paragraph (d) was inadvertently omitted.

Section 35.50 specifies that an individual fulfilling the responsibilities of Radiation Safety Officer must be:

(a) An individual who is certified by a specialty board recognized under this section,

(b) An individual who has completed a structured educational program,

(c)(1) A medical physicist who has been certified by a specialty board recognized under § 35.51(a) and who has experience in radiation safety, or

(c)(2) An authorized user (AU), authorized medical physicist (AMP), or authorized nuclear pharmacist (ANP) who has experience in radiation safety.

Currently, § 35.50(d) requires an individual seeking radiation safety officer status to obtain written attestation that the individual has satisfactorily completed the requirements in paragraphs (a), (b), or (c)(1) of this section. However, reference to paragraph (c)(2) was inadvertently omitted. This rule inserts the reference to paragraph (c)(2) in paragraph (d).

List of Subjects for Part 35

Byproduct material, Criminal penalties, Drugs, Health facilities, Health professions, Medical devices, Nuclear materials, Occupational safety and health, Radiation protection, Reporting and recordkeeping requirements.

■ Accordingly, 10 CFR part 35 is corrected by making the following correcting amendment:

PART 35—MEDICAL USE OF BYPRODUCT MATERIAL

■ 1. The authority citation for part 35 continues to read as follows:

Authority: Secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended (42 U.S.C. 2111, 2201, 2232, 2233); Sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); Sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note).

■ 2. In § 35.50, paragraph (d) is revised to read as follows:

§ 35.50 Training for Radiation Safety Officer.

* * * * *

(d) Has obtained written attestation, signed by a preceptor Radiation Safety Officer, that the individual has satisfactorily completed the requirements in paragraph (e) and in paragraphs (a)(1)(i) and (a)(1)(ii) or (a)(2)(i) and (a)(2)(ii) or (b)(1) or (c)(1) or (c)(2) of this section, and has achieved a level of radiation safety knowledge sufficient to function independently as a Radiation Safety Officer for a medical use licensee; and

* * * * *

Dated at Rockville, Maryland, this 6th day of January, 2006.

For the Nuclear Regulatory Commission.

Michael T. Lesar,

Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.

[FR Doc. 06–266 Filed 1–11–06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

[Docket No. CE187; Special Conditions No. 23–127A–SC]

Special Conditions: Chelton Flight Systems, Inc.; Various Airplane Models; Protection of Systems for High Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions: amendment.

SUMMARY: The FAA published a document in the **Federal Register** on August 30, 2002 (Volume 67, Number 169) regarding Special Condition 23–127–SC for Chelton Flight Systems, Various Airplane Models; Protection of Systems for High Intensity Radiated Fields (HIRF). This amendment is being published to add several airplane models to the existing special condition to cover current and future amendments to the Approved Model List (AML) STC. These special conditions address HIRF certification requirements for digital systems not addressed by the current regulations. See the attached AML for the airplanes that are added by this amendment.

These airplanes, as modified by Chelton Flight Systems, will have a novel or unusual design feature(s) associated with the installation of an electronic flight instrument system. These special conditions address the protection of these systems from the effects of high intensity radiated field (HIRF) environments. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date of these amended special conditions is December 22, 2005. Comments must be received on or before February 13, 2006.

ADDRESSES: Comments on these amended special conditions may be mailed in duplicate to: Federal Aviation Administration, Regional Counsel, ACE–7, Attention: Rules Docket CE187, 901 Locust, Room 506, Kansas City, Missouri 64106; or delivered in duplicate to the Regional Counsel at the above address. Comments must be marked: CE187. Comments may be inspected in the Rules Docket